

# Exhibit 1

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable Peter H. Kang, Magistrate Judge

IN RE: SOCIAL MEDIA ADOLESCENT)  
ADDICTION/PERSONAL INJURY )  
PRODUCTS LIABILITY LITIGATION ) **NO. 22-MD-03047 YGR (PHK)**  
\_\_\_\_\_)

San Francisco, California  
Thursday, March 21, 2024

**APPEARANCES:**

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**(APPEARANCES CONTINUED ON FOLLOWING PAGE)**

Reported By: Kelly Shainline, CSR No. 13476, RPR, CRR  
Official Stenographic Reporter

1           **MR. DRAKE:** Geoffrey Drake, King & Spalding, for the  
2 TikTok defendants.

3           **THE COURT:** So what is it in Rule 26(a)(1) that won't  
4 be in their plaintiff fact sheets that you need?

5           **MR. DRAKE:** As we laid out in the letter, that we  
6 anticipate that the fact sheets will provide the information  
7 that we expected to receive in the initial disclosures. So I  
8 don't think that there's anything ripe for the Court to  
9 adjudicate today.

10           We didn't file a motion or raise any concern. We simply  
11 sent a letter to the plaintiffs expressing our dissatisfaction  
12 that even information they already knew at the time the  
13 disclosures were due wasn't provided, and we said in the letter  
14 "We anticipate you're going to cure this on April 1st in your  
15 fact sheets." And we expect that to be cured immediately  
16 because we only get two weeks after that then to make our  
17 bellwether selection, so there's limited time.

18           **THE COURT:** So in terms of the timing issue -- and I  
19 should have checked the docket -- is April 1st the date to  
20 provide plaintiff fact sheets or is it the deadline by which  
21 they have to be submitted or exchanged?

22           **MR. WARREN:** Well, I think in all -- for all practical  
23 purposes, those are one and the same given that it's about a  
24 week away, but we expect the plaintiffs' fact sheets for all  
25 cases that would be in the bellwether pool to be filed on

1 April 1st as they're required to be. So it sounds like we  
2 don't have a dispute here.

3 **THE COURT:** Okay. My question is: Are any of them  
4 ready to go? I mean, why hold back? If any of them are ready  
5 to go, why hold back?

6 **MR. WARREN:** We passed that along to all of the  
7 plaintiffs' attorneys, and they understand they should be  
8 filing on a rolling basis; but I think as these things tend to  
9 happen, you know --

10 **THE COURT:** My only directive then is to make sure all  
11 the plaintiffs' attorneys know that, you know, if they're ready  
12 to go, they shouldn't hold back artificially.

13 **MR. WARREN:** Absolutely, Your Honor.

14 **MR. DRAKE:** Thank you, Your Honor.

15 I think that was really our point in many instances. If  
16 the information is already in the possession of counsel, which  
17 I have to assume it is, particularly for these school districts  
18 which are akin to corporate entities that are suing, we'd like  
19 to get that information. We think we were entitled to it  
20 two weeks ago, but we're trying to be reasonable about it and  
21 we'll look forward to the supplement.

22 **THE COURT:** Okay. So really no dispute there, and  
23 we'll just try to work things through --

24 **MR. WARREN:** Yes, sir.

25 **THE COURT:** -- as expeditiously as possible.